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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,228	09/18/2003	Franz Hirler	MUH-12747 C	8480
24131	7590	03/22/2005		EXAMINER
LERNER AND GREENBERG, PA				PERALTA, GINETTE
P O BOX 2480			ART UNIT	PAPER NUMBER
HOLLYWOOD, FL 33022-2480			2814	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/666,228	HIRLER ET AL.	
	Examiner Ginette Peralta	Art Unit 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 January 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. 10/392,024.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Lanzerstorfer et al. (U. S. Pat. 6,605,841 B2).

The applied reference has a common assignee with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Lanzerstorfer et al. discloses in fig. 2H a power transistor having at least one trench transistor cell in a semiconductor body comprising a drain zone 12, a drift zone 122, a channel zone 14, and a source zone 70 formed in each case successively and substantially horizontally in the semiconductor body (col. 7, lines 34-53, and col. 10, lines 7-23); the semiconductor body having a trench 22A formed therein

with a base and a defined body height opposite a pn junction between the drift zone 122 and the channel zone 14; a first dielectric layer 120A cladding the trench 22A substantially to the body height, and a gate oxide 34A cladding the trench 22A between the body zone and a semiconductor body surface; and a field electrode 40A extending in the trench 22A substantially from the trench base to an upper edge of the first dielectric layer 120A, the field electrode 40A being connected to be at a fixed potential disclosed in col. 10, lines 35-40 or at a source potential along with the gate electrode as shown in Fig. 6 as connected to the source potential S1 and as taught in col. 6, lines 49-53; a gate electrode 60A disposed substantially between the body height and the semiconductor body surface, the gate electrode 60A being electrically insulated from the semiconductor body by the gate oxide 34A and having a lower edge with a profile at least partly different from horizontal; and a second dielectric layer 50A formed between the gate electrode 60A and the field electrode 40A.

Regarding claim 2, Lanzerstorfer et al. discloses in Fig. 6 that the profile of the lower edge of the gate electrode 60A is at least partly angled relative to the semiconductor body surface.

Regarding claim 3, Lanzerstorfer et al. discloses in Fig. 6 that the profile has a falling angle between two trenches.

Regarding claim 4, Lanzerstorfer et al. discloses in Fig. 6 the profile of the lower edge of the gate electrode 60A is formed with at least one outward bulge.

Regarding claim 5, Lanzerstorfer et al. discloses in Fig. 6 the field electrode 40A overlapping the gate electrode 60A.

Regarding claim 6, Lanzerstorfer et al. discloses in Fig. 6 that the field electrode 40A intersects and passes through a plane defined by the pn junction between the drift zone 122 and the channel zone 14.

Response to Arguments

3. Applicant's arguments filed 1/5/05 have been fully considered but they are not persuasive.

Regarding applicant's argument that Lanzerstorfer et al. does not disclose the gate electrode being electrically insulated from the semiconductor body by the gate oxide. it is noted that the claim language does not exclude that other layers may electrically insulate the gate electrode from the semiconductor body as well.

Regarding applicant's argument that Lanzerstorfer et al. discloses that the field electrode 40A and gate electrode 60A form a common electrode and are placed at the same potential and that therefore does not disclose the field electrode being connected to be at a source potential or at a fixed potential, it is noted that when working as a common electrode with the gate electrode 60A, the field electrode 40A is connected to be at a source potential $S1$, and that in col. 10, lines 35-40 Lanzerstorfer et al. further discloses that the gate electrode 60A and the field electrode 40A are connected to

different potentials, thus the field electrode 40A can also be connected to a fixed potential independently from the gate electrode 60A.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ginette Peralta whose telephone number is (571)272-1713. The examiner can normally be reached on Monday to Friday 8:00 AM- 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571)272-1705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GP

Wael Fahmy
SPE 2814